

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)
Sean Mack
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Attorneys for Interested Parties

In re:

WHAIRHOUSE LIMITED LIABILITY COMPANY

Debtor.

Chapter 11

Case No. 23-17272

Hearing Date and Time:

October 3, 2023 at 11:00am

ORAL ARGUMENT REQUESTED

**CERTIFICATION OF SEAN MACK, ESQ. IN FURTHER SUPPORT OF MOTION FOR
ENTRY OF AN ORDER APPOINTING A CHAPTER 11 TRUSTEE
PURSUANT TO 11 U.S.C. § 1104**

I, Sean Mack, Esq., declare as follows:

1. I am a member of the law firm of Pashman Stein Walder Hayden, PC and am counsel to Alexis Morrillo, Frank Robinson, Michael Ventura, RG3 LLC, Samme Sheikah, Jonathan Gunn, Nicholas Tiah, and Faleena and Jermaine Andujar (the "Petitioners") in this matter.
2. Attached hereto as Exhibit A is a true copy of a Final Judgment for Default entered against Whairhouse LLC in the state court case docket number PAS-L-1732-23.
3. I conducted property land records searches relating to the properties at issue in the joint venture agreements of the Petitioners. The following screenshots are taken from New Jersey's public online land records database.

4. According to land records, Whairhouse acquired 523 Park Avenue, Paterson, NJ on November 14, 2018 for \$225,000.

New Search		Assessment Postcard		Property Card			
Block:	8605	Prop Loc:	523 PARK AVE	Owner:	WHAIRHOUSE LIMITED LIABILITY CO.		
Lot:	10	District:	1608 PATERSON	Street:	411 19TH AVENUE		
Qual:		Class:	4A	City State:	PATERSON, NJ 07504		
Additional Information							
Prior Block:	L1417	Acct Num:	000000	Addl Lots:			
Prior Lot:	25	Mtg Acct:		Land Desc:	25X71		
Prior Qual:		Bank Code:	0	Bldg Desc:	2.5F		
Updated:	02/04/19	Tax Codes:		Class4Cd:	0		
Zone:	B-1	Map Page:		Acres:	0.043		
Sale Information							
Sale Date:	11/14/18	Book:	D3450 Page: 220	Price:	225000 NU#: 0		
Sr1a	Date	Book	Page	Price	NU#	Ratio	
More Info	06/08/18	3342	196	149000		69.19	LB PROPERTIES HOLDINGS LLC
More Info	09/21/18	3450	220	225000		59.07	WHAIRHOUSE LLC

Despite having acquired that property in 2018 for \$225,000, the Pinas have enticed 9 different people to enter into joint venture agreements with either Whairhouse LLC or From Start 2 Flipping LLC (another company owned by the Pinas) to purchase, renovate and flip that property for \$875,000 in new capital investments and \$1,023,114 in “rolled over investments”. (Docket BER-L-4238-23 (\$100,000); BER-L-4139-23 (\$250,000); PAS-L-1557-23 (\$100,000); PAS-L-2542-23 (\$100,000); HUD-2857-23 (rolled over a \$375,000 investment from a prior JVA); Petitioners Robinson (\$25,000) and Sheika (\$100,000); and two individuals who have provided their contracts to me but not publicly filed their complaint (\$200,000 and a rolled over investment of \$648,114)).

5. As set forth in his Exhibit A, Petitioner Frank Robinson invested \$351,000 to enable Whairhouse LLC to purchase 555-563 Main Street, Paterson, but the Pinas acquired that property through another one of their companies, Taylor Court Apartments LLC:

New Search		Assessment Postcard		Property Card	
Block:	5809	Prop Loc:	555 MAIN ST	Owner:	TAYLOR COURT APARTMENTS LLC
Lot:	25	District:	1608 PATERSON	Street:	411 19TH AVE
Qual:		Class:	1	City State:	PATERSON NJ 07501
Additional Information					
Prior Block:	11069	Acct Num:	000000	Addl Lots:	
Prior Lot:	7	Mtg Acct:		Land Desc:	25X100
Prior Qual:		Bank Code:	0	Bldg Desc:	1 F
Updated:	04/01/19	Tax Codes:		Class4Cd:	0
Zone:	I-1	Map Page:		Acreege:	0.0584
Sale Information					
Sale Date:	08/23/18	Book:	3475 Page: 228	Price:	235000 NU#: 30
Sr1a	Date	Book	Page	Price	NU#
TAX-LIST-HISTORY					

6. Robinson also invested \$155,900 in 2017 for Whairhouse to purchase 14 Commerce St, Paterson, but Whairhouse has never purchased that property:

New Search			Assessment Postcard			Property Card		
Block:	49	Prop Loc:	14 COMMERCE ST	Owner:	CONKLIN AVE LLC	Square Ft:		
Lot:	33	District:	0221 GARFIELD	Street:	30 BUSH LANE	Year Built:		
Qual:		Class:	2	City State:	SPRING VALLEY NY 10977	Style:		
Additional Information								
Prior Block:		Acct Num:	000995	Addl Lots:		EPL Code:		
Prior Lot:		Mtg Acct:		Land Desc:	3501 SF	Statute:		
Prior Qual:		Bank Code:	0	Bldg Desc:	2SF	Initial:		
Updated:	06/08/23	Tax Codes:		Class4Cd:	0	Desc:		
Zone:	R-2	Map Page:	3	Acreage:	0.0804	Taxes:		
Sale Information								
Sale Date:	09/19/22	Book:	4902 Page: 1710	Price:	1	NU#:	25	
Sr1a	Date	Book	Page	Price	NU#	Ratio		
More Info	10/08/03	8659	207	240000		50.00		BIBLE CHURCH INTERNATL
More Info	10/08/03	8660	790	240000		50.00		BIBLE CHURCH INTERNATL
More Info	05/22/07	9322	348	319300		37.58		REYES, DOUGLAS
More Info	07/03/17	2762	1442	100	12	0		WELLS FARGO BANK NA
More Info	04/09/18	3010	1577	191500	31	101.67		FROMOWITZ, MAYER
More Info	09/19/22	4902	1710	1	25	0		CONKLIN AVE LLC

7. As set forth in its Exhibit A, Petitioner RG3 LLC invested in several properties for Whairhouse to acquire, including 462-464 East 24th Street, Paterson. At the time RG3 invested in January 2022, Whairhouse already owned that property, and then did not pay RG3 when it sold the property in October 2022:

New Search			Assessment Postcard			Property Card		
Block:	3305	Prop Loc:	462-464 E 24TH ST	Owner:	PERALTA CAROLIN A T ET ALS	Square Ft:		
Lot:	22	District:	1608 PATERSON	Street:	462 464 EAST 24TH ST	Year Built:		
Qual:		Class:	2	City State:	PATERSON NJ 07514	Style:		
Additional Information								
Prior Block:	E0636	Acct Num:	000000	Addl Lots:		EPL Code:		
Prior Lot:	27	Mtg Acct:		Land Desc:	50X100	Statute:		
Prior Qual:		Bank Code:	0	Bldg Desc:	2 F 3G	Initial:		
Updated:	11/01/22	Tax Codes:		Class4Cd:	0	Desc:		
Zone:		Map Page:		Acreage:	0.1148	Taxes:		
Sale Information								
Sale Date:	10/13/22	Book:	4416 Page: 293	Price:	545000	NU#:	7	
Sr1a	Date	Book	Page	Price	NU#	Ratio		
More Info	03/22/17	3040	55	125000	13	146.32		PAGE LISTON
More Info	05/10/18	3310	287	0	17	0		HIGHWAY CHRUCH OF CHRIST
More Info	02/04/19	3507	287	120000	26	155.67		LB PROPERTIES HOLDING LLC
More Info	04/10/19	3566	226	202125	26	92.42		WHAIRHOUSE LLC
More Info	10/13/22	4416	293	545000	7	35.03		PERALTA CAROLIN A T ET ALS
TAX-LIST-HISTORY								

8. Petitioner RG3 also entered into an agreement for Whairhouse to acquire 568-570 E 39th Street, Paterson in January 2022. But the Pinas company From Start 2 Flipping LLC already owned that property, and when it was sold in February 2022, the Pinas did not pay RG3:

New Search		Assessment Postcard		Property Card			
Block:	7914	Prop Loc:	568-570 E 39TH ST	Owner:	BLANCO LUIS A H.GONZALEZ DALVIN		
Lot:	5	District:	1608 PATERSON	Street:	568 570 E 39TH ST		
Qual:		Class:	2	City State:	PATERSON NJ 07513		
Additional Information							
Prior Block:	L1542	Acct Num:	000000	Addl Lots:			
Prior Lot:	29	Mtg Acct:		Land Desc:	50X100		
Prior Qual:		Bank Code:	0	Bldg Desc:	2 F		
Updated:	05/23/22	Tax Codes:		Class4Cd:	0		
Zone:		Map Page:		Acreeage:	0.115		
Sale Information							
Sale Date:	02/23/22	Book:	4262 Page: 55	Price:	499000 NU#: 7		
Sr1a	Date	Book	Page	Price	NU#	Ratio	
More Info	08/14/17	3148	157	100	12	0	US BANK TRRUST NA TRUSTEE
More Info	11/23/20	3976	101	273169	13	71.05	FROM START TO FLIPPING LLC
More Info	02/23/22	4262	55	499000	7	38.90	BLANCO LUIS A H.GONZALEZ DALVIN
TAX LIST HISTORY							

9. As set forth in his Exhibit A, Petitioner Ventura invested \$200,000 in September 2021 for Whairhouse to acquire 141 East 32d Street, Paterson, but Whairhouse never owned or acquired that property:

New Search		Assessment Postcard		Property Card	
Block:	8405	Prop Loc:	141-143 EAST 32ND ST	Owner:	PATERSON TRIPLEX LN, LLC
Lot:	22.02	District:	1608 PATERSON	Street:	434 S. 5TH STREET
Qual:		Class:	2	City State:	ELIZABETH, NJ 07206
Additional Information					
Prior Block:		Acct Num:		Addl Lots:	
Prior Lot:		Mtg Acct:		Land Desc:	50X100
Prior Qual:		Bank Code:	0	Bldg Desc:	3F 3G
Updated:	09/09/22	Tax Codes:		Class4Cd:	0
Zone:		Map Page:		Acreeage:	0.115
Sale Information					
Sale Date:	07/10/20	Book:	D3826 Page: 416	Price:	75 NU#: 0
Sr1a	Date	Book	Page	Price	NU#

10. In February 2022, Cesar convinced Ventura to roll over a prior investment for a joint venture to acquire and flip the property at 126-128 Jasper St, Paterson, but Whairhouse had already sold that property to another entity in December 2020:

New Search	Assessment Postcard	Property Card					
Block:	910	Prop Loc:	126-128 JASPER ST	Owner:	126 JASPER LLC	Square Ft:	2961
Lot:	35	District:	1608 PATERSON	Street:	126 128 JASPER ST	Year Built:	1940
Qual:		Class:	2	City State:	PATERSON NJ 07522	Style:	3C
Additional Information							
Prior Block:	B0144	Acct Num:	000000	Addl Lots:		EPL Code:	0 0 0
Prior Lot:	20	Mtg Acct:		Land Desc:	25X100	Statute:	
Prior Qual:		Bank Code:	0	Bldg Desc:	2 F	Initial:	000000
Updated:	05/19/23	Tax Codes:		Class4Cd:	0	Desc:	
Zone:		Map Page:		Acreeage:	0.057	Taxes:	13322.5
Sale Information							
Sale Date:	05/03/23	Book:	4523	Page:	111	Price:	402500 NU#: 0
Sr1a	Date	Book	Page	Price	NU#	Ratio	
More Info	04/12/12	2169	39	75000	14	578.00	WHAIRHOUSE LLC
More Info	12/15/20	3955	214	390000		73.59	MORE LEGACY LLC
More Info	05/03/23	4523	111	402500		71.30	126 JASPER LLC
TAX LIST HISTORY							

11. As set forth in his Exhibit A, Petitioner Tiah entered into an agreement in January 2022 with Whairhouse to acquire 93 Highland St., Paterson, but Whairhouse never acquired that property:

New Search			Assessment Postcard			Property Card		
Block:	2917	Prop Loc:	93 HIGHLAND ST	Owner:	JOHNSON, ELIJAH	Square Ft:	2	
Lot:	8	District:	1608 PATERSON	Street:	93 HIGHLAND ST	Year Built:	3	
Qual:		Class:	2	City State:	PATERSON, NJ 07505	Style:	3	
Additional Information								
Prior Block:	C0436	Acct Num:	000000	Add Lots:		EPL Code:	0	
Prior Lot:	14	Mtg Acct:		Land Desc:	25X100	Statute:		
Prior Qual:		Bank Code:	660	Bldg Desc:	2.7F	Initial:	0	
Updated:	11/17/22	Tax Codes:		Class4Cd:	0	Desc:		
Zone:		Map Page:		Acreage:	0.057	Taxes:	9	
Sale Information								
Sale Date:	03/08/21	Book:	4031 Page: 110	Price:	359000	NU#:	7	
Sr1a	Date	Book	Page	Price	NU#	Ratio		
More Info	10/22/08	1689	144	390000		93.59		PINA ROSA
More Info	09/29/15	2709	89	69000	26	261.30		93 HIGHLAND ST LLC
More Info	12/02/19	3727	209	330000		59.09		A A COMPANY LLC
More Info	03/08/21	4031	110	359000	7	55.54		JOHNSON, ELIJAH
TAX-LIST-HISTORY								

12. As set forth in his Exhibit A, in April 2022, Petitioner Sheika invested \$100,000 for Whairhouse to acquire and renovate 145 Union Ave, Paterson, but one of the Pinas other companies Whairhouse Holdings LLC had already acquired that property in 2016:

New Search			Assessment Postcard			Property Card		
Block:	1611	Prop Loc:	145-147 UNION AVE	Owner:	WHAIRHOUSE HOLDINGS LLC	Square Ft:		
Lot:	18	District:	1608 PATERSON	Street:	2711 CENTERVILLE ROAD	Year Built:		
Qual:		Class:	2	City State:	WILMINGTON, DE 19806	Style:		
Additional Information								
Prior Block:	B0275	Acct Num:	000000	Add Lots:		EPL Code:		
Prior Lot:	17	Mtg Acct:		Land Desc:	50X95	Statute:		
Prior Qual:		Bank Code:	0	Bldg Desc:	1 F 2 G	Initial:		
Updated:	03/08/19	Tax Codes:		Class4Cd:	0	Desc:		
Zone:		Map Page:		Acreage:	0.11	Taxes:		
Sale Information								
Sale Date:	02/18/16	Book:	D2779 Page: 235	Price:	0	NU#:	25	
Sr1a	Date	Book	Page	Price	NU#	Ratio		
More Info	04/07/15	2620	245	0	25	0		HARRIS SHANITA
More Info	08/28/15	2682	158	85000	26	240.94		BOZA GROUP LLC
More Info	10/02/15	2704	242	155000	26	132.13		145 UNION AVE LLC
More Info	02/18/16	2779	235	0	14	0		WHAIRHOUSE HOLDINGS LLC
TAX-LIST-HISTORY								

13. As set forth in his Exhibit A, Petitioner Gunn invested \$100,000 in February 2023 for Whairhouse to acquire 147-149 Manchester Ave, Paterson. According to state court filings from other victims and other contracts I have been provided by other victims who have not yet filed lawsuits, the Pinas' companies Whairhouse and From Start 2 Flipping LLC collectively received \$2,120,000 in joint venture investments to purchase 147-149 Manchester Avenue, Paterson. (BER-L-4188-23(\$100,000); BER-L-4139-23 (\$100,000); BER-L-4193-23 (\$145,000); HUD-2857-23 (\$400,000); PAS-L-1653-23 (\$100,000); PAS-L-1994-23 (\$50,000); BER-L-4680-23 (\$835,000)). According to land records, that address does not exist.

14. The address of 149-151 Manchester Avenue, Paterson, does exist and was acquired by Whairhouse in 2019. Whairhouse sold that property in June 2023, but as set forth in his Declaration, did not pay Petitioner Gunn his capital investment or promised profits:

New Search		Assessment Postcard		Property Card			
Block:	1015	Prop Loc:	149-151 MANCHESTER AVE		Owner:	CRESPO JERRY & CRESPO ANTHONY	
Lot:	16	District:	1608 PATERSON		Street:	149-151 MANCHESTER AVE	
Qual:		Class:	2		City State:	PATERSON NJ 07502	
Additional Information							
Prior Block:	B0179	Acct Num:	000000		Add Lots:		
Prior Lot:	22	Mtg Acct:			Land Desc:	50X100	
Prior Qual:		Bank Code:	0		Bldg Desc:	1.5F 2G	
Updated:	09/06/23	Tax Codes:			Class4Cd:	0	
Zone:		Map Page:			Acreage:	0.115	
Sale Information							
Sale Date:	06/17/23	Book:	4578 Page: 201		Price:	550000	NU#: 7
Sr1a	Date	Book	Page	Price	NU#	Ratio	
More Info	04/04/19	3569	68	140000	26	131.21	WHAIRHOUSE LLC
More Info	06/17/23	4578	201	550000	7	34.56	CRESPO JERRY & CRESPO ANTHONY
TAX-LIST-HISTORY							

15. As set forth in his Exhibit A, Petitioner Morillo invested \$100,000 in March 2023 for Whairhouse to acquire 145-147 Manchester Ave, Paterson. The Pinas through Whairhouse and their other company From Start 2 Flipping LLC also sold joint ventures in that same property to three other investors for collectively \$500,000 who have filed state court lawsuits: Dockets PAS-L-1557-23 (\$200,000); BER-L-4188-23 (\$100,000); BER-L-4089-23 (\$200,000). I also have been provided with contracts from five other victims who invested collectively \$500,000 in this same property. But according to property records, none of the Pinas' companies have ever owned it:

New Search		Assessment Postcard		Property Card			
Block:	1015	Prop Loc:	145-147 MANCHESTER AVE		Owner:	MIAH,S. MD & N. MD	
Lot:	17	District:	1608 PATERSON		Street:	145-147 MANCHESTER AVENUE	
Qual:		Class:	2		City State:	PATERSON, NJ 07502	
Additional Information							
Prior Block:	B0179	Acct Num:	000000		Add Lots:		
Prior Lot:	21	Mtg Acct:			Land Desc:	50X72	
Prior Qual:		Bank Code:	660		Bldg Desc:	2 F	
Updated:	10/01/18	Tax Codes:			Class4Cd:	0	
Zone:		Map Page:			Acreage:	0.083	
Sale Information							
Sale Date:	09/16/14	Book:	D2591 Page: 41		Price:	185000 NU#: 0	
Sr1a	Date	Book	Page	Price	NU#	Rat	
More Info	09/16/14	2591	41	185000	26	208.16	
TAX-LIST-HISTORY							

I declare under penalty of perjury that the foregoing statements by me are true to the best
of my knowledge and belief.

Dated September 29, 2023

s/ Sean Mack
SEAN MACK

EXHIBIT A

KRAVIS & ASSOCIATES, LLC
31275 Northwestern Hwy., Ste. 145
Farmington Hills, MI 48334
(248) 516-1275
Andrew R. Kravis, Esq. Bar #04207-2011
Attorneys for Plaintiff

RANSOME ENDEAVORS, INC.,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: PASSAIC COUNTY
	:	
Plaintiff,	:	
	:	DOCKET NO. PAS-L-1732-23
vs.	:	
	:	Civil Action
WHAIRHOUSE, LLC, CESAR PINA,	:	
JOHN DOES 1-10 and ABC	:	FINAL JUDGMENT BY DEFAULT
CORPORATIONS 1-10;	:	
	:	
Defendants.	:	

Defendants, Whairhouse, LLC and Cesar Pina, having been duly served with process and a copy of the Complaint in the above entitled action, and having been defaulted for failure to answer, appear or otherwise move as to the Complaint, and Defendants not being infants or incompetent persons; and Plaintiff having filed a Certification setting forth a particular statement of the items of the claim, their amounts and dates, a calculation in figures of the amount of interest, the payments or credits, if any, and the net amount due;

FINAL JUDGMENT is, on this 13th day of September, 2023, signed and entered in the sum of \$724,500.00, plus reasonable attorneys' fees and costs in the amount of \$ 241,936.66, plus interest, in favor of Plaintiff, RANSOME ENDEAVORS, INC., and against Defendants, WHAIRHOUSE, LLC and CESAR PINA, jointly and severally.

/s/ Vicki A. Citrino
HON. VICKI A. CITRINO, J.S.C.

☒ **UNOPPOSED**

Ordered that Plaintiff shall serve a copy of this Order upon Defendant by regular mail within 7 days of the date hereof.